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Message Text

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ACTION ARA-20

INFO OCT-01 EUR-25 ADP-00 DODE-00 EB-11 INR-10 NSAE-00

RSC-01 TRSE-00 CIAE-00 COME-00 SCI-06 EA-11 RSR-01

/086 W
---------- 042932
R 241935Z JUL 73
FM AMEMBASSY BUENOS AIRES
TO SECSTATE WASHDC 2959
INFO USEC BRUSSELS 124
USAEC

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E.O. 11652: N/A
TAGS: TECH, EGEN, AR
SUBJ: TECHNOLOGY IMPORT CONTROLS

REF: A. BA A-324, 7/18/73; B. STATE 117307

1. IN RAISING REQUEST IN REF A FOR INFORMATION ON US EXPORT CONTROLS RELATING TO PRODUCTS OF ARGENTINE SUBSIDIARIES OF US FIRMS, EMBASSY TOOK INTO ACCOUNT RESPONSE TO RELATED QUESTION PROVIDED IN REF B. HOWEVER, IN EMBASSY'S VIEW, ISSUE RAISED IN REF A CAN BE DISTINGUISHED FROM THAT TO WHICH DEPT RESPONDED IN REF B. AS INDICATED IN REF A, PRODUCTS INVOLVED IN DUCILO CASE DO NOT INCORPORATE "PARTS AND COMPONENTS EXPORTED FROM THE U.S.", BUT DO RELY UPON TECHNOLOGY EXPORTED FROM U.S. EMBASSY ASSUMES, THEREFORE, THAT DUCILO CASE FALLS UNDER GENERAL LICENSE DESCRIBED IN PARA 2 OF REF B, RATHER THAN PROHIBITION DESCRIBED IN PARA 1.

2. DUCILO CASE ALSO GOES BEYOND ISSUE RAISED PREVIOUSLY BY EMBASSY IN THAT IT INVOLVES NOT ONLY TRADE WITH CUBA, BUT NORTH VIETNAM AND NORTH KOREA AS WELL. MOREOVER, DUPONT CONTENDS THAT PROHIBITIONS AGAINST TRADE WITH THESE COUNTRIES "MUST BE INCLUDED IN LICENSING CONTRACT, THUS NEGATING GENERAL LICENSE
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WHICH MAY BE APPLICABLE TO THIS SET OF CIRCUMSTANCES.

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3. WE DO NOT KNOW WHETHER DU PONT WILL CHOOSE TO PURSUE MATTER WITH TREASURY. IN EVENT THEY DO, IT SHOULD BE NOTED THAT THIS CASE PRESENTS CLEAR-CUT INSTANCE WHERE POLICY HAS ALREADY RESULTED IN ACTUAL DISADVANTAGE TO COMPANY AND, IN FINAL ANALYSIS, TO U.S. INTERESTS: NAMELY, DENIAL OF TECHNOLOGY CONTRACT APPROVAL, WITHOUT WHICH DUCILO CANNOT ENGAGE IN THIS ACTIVITY ON COMMERCIAL SCALE IN ARGENTINA, THUS LEAVING FIELD TO EUROPEAN COMPETITORS. DUCILO HAS NOTED THAT IF PRECEDENT OF THIS CASE IS FOLLOWED, IT WILL ALSO PRECLUDE THEIR ENGAGING IN MUCH LARGER VENTURE OF MANUFACTURE OF TITANIUM DIOXIDE PIGMENT IN ARGENTINA, APPROVAL FOR WHICH WAS RECEIVED IN LAST DAYS OF FORMER ARGENTINE GOVERNMENT.
KREBS

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Message Attributes

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Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 24 JUL 1973
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: worrelsw
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Document Unique ID: 00
Drafter: n/a
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Executive Order: N/A
Errors: N/A
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From: BUENOS AIRES
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Review Event:
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